





# PRESENT LEGISLATURE PROMISES SPEEDY DISPOSAL OF MATTERS AT SESSION

## CONTRACT LAW OF ALABAMA INVALID

### Fight to End Negro Penitentiary in South Won by Government.

WASHINGTON, Jan. 3.—The fight of the Federal Government to have the "labor contract" law of Alabama declared unconstitutional was crowned with success today when the Supreme Court of the United States held the law invalid.

The government claimed that the law reduced hundreds of negroes to a state akin to peonage.

### To See Estate

WASHINGTON, Jan. 3.—After five years of litigation the Federal Government, by virtue of a decision of the Supreme Court of the United States, today became entitled to press a suit against the executors of the estate of the late Winfield S. Stratton, a Colorado mining magnate, for nearly \$500,000 for back taxes under the Spanish-American war tax.

### Fight Lost

WASHINGTON, Jan. 3.—The fight against the policy of the State guaranteeing bank deposits met with reverses today when the Supreme Court of the United States held constitutional the bank guaranty law of Oklahoma, Nebraska and Kansas.

### Uphold Amendment

WASHINGTON, Jan. 3.—The so-called Carmack amendment to the Hepburn rate law, making the initial carrier responsible for loss of interstate shipments during transportation not only on its lines, but also on connecting lines, was declared to be unconstitutional by the United States Supreme Court today.

### Libel Case Killed

WASHINGTON, Jan. 3.—The Supreme Court of the United States approved today the action of the New York Federal Circuit Court in quashing the so-called "Panama Canal libel" indictment brought by the United States Government against the Press Publishing Company of New York. This throws the entire case out of court.

## GOVERNOR'S STAFF TO BE ABOLISHED

### Friends of Johnson Predict an End to the Institution.

(Special to THE TRIBUNE.)

SACRAMENTO, Jan. 3.—Those close to Governor-elect Johnson declare they could not be surprised if he should abolish the "Governor's staff," that is to say, that he will get along without it so far as he is concerned, and that he will substitute for the staff the adjutant general and a number of officers of the State Militia or National Guard in the event that there should be any State function which should require him to be escorted by a military body.

It is further stated that the Governor has spoken to them on the subject and declared that there was a great deal of annoyance in such an organization and but little gained from it. To him it seemed more advisable to allow the officers of the guard to appear from time to time, the selections being different at different occasions. That, he thought, would have an excellent effect upon the men in service, because many of the officers on the staff became soldiers only after having been appointed on the staff. It is not within the sphere of the Governor to abolish the position of adjutant general of the State, but that official would be the means of ordering officers of the several commands to appear whenever necessary might call for them at the Governor's request.

The impression, however, obtains that Governor Johnson will not appear freely in public on occasions on which he would have to be accompanied by a staff.

### WELL KNOWN YOUTH IS SUMMONED BY DEATH

ALAMEDA, Jan. 3.—Death summoned William L. Lane, a well known young man of this city, yesterday at the home of his parents, Mr. and Mrs. John Lane, 546 Park street. Lane had resided here for many years and at one time attended the Porter school.

Deceased was 26 years of age. He was a brother of Miss Marion Lane, assistant secretary of the board of education.

## All Humors

Are impure matters which the skin, liver kidneys and other organs cannot take care of without help.

Pimples, boils, eczema and other eruptions, loss of appetite, tired feeling, indigestion, fits of indigestion, all headaches and many other troubles are due to them. They are removed by

### Hood's Sarsaparilla

In usual liquid form or in chocolate tablets known as Sarsatabs. 100 doses \$1.

## GOVERNOR-ELECT TO TAKE OATH OF OFFICE TONIGHT

### Preparations for Inauguration Complete; Long Program to Be Carried Out at Function

(Continued from Page 1.)

The senate then adjourned until 1:55 p. m., on motion of Senator Edward I. White of San Francisco.

Senate leaders announced uniformly today that the swift gait struck in the opening session yesterday will be kept up for the present at least. A session for opening the afternoon joint session, and another tonight were scheduled.

### Routine in House

Most of the house session was taken up this morning with the transaction of routine business. While no issue came up calling for a show of votes, indications of combats to come were seen in the attitude of different members on the questions of small expenses to be incurred during the session.

### Busy Time Coming

A busy time is predicted in the house. There is scarcely a statesman whose hip pocket is not bulging with bills. They range from enactments on small pet projects in isolated localities to revolutionary measures affecting criminal procedure, election laws and railroad legislation.

The Los Angeles suffragist delegation has not yet arrived, but is expected tomorrow. Mrs. Clara Shortridge Foltz, deputy district attorney of Los Angeles, who plans to circumvent the plans of the southern women by the submission of a bill of her own, is working actively in the interests of her measure. In addition to this bill, she will submit two other measures, one on the abolishing of capital punishment and the other to provide for the appointment of a "public defender" in all courts.

The house met in joint session with the senate at 2 o'clock this afternoon to

carve the vote of the last state election.

The inauguration arrangements have been made by a joint committee of the assembly and senate, \$500 having been voted to defray the expenses of the occasion. This is in strange contrast with the more liberal sums which have been expended in some similar functions.

### Long Program

The program is as follows:

Music, "Hail to the Chief," prayer, Rev. Father Henry E. Wyman; song, "America," address, James N. Gillett, administrator of the oath of office to Governor-elect William Johnson by Judge E. C. Hart; address, Governor William Johnson; music, quartet; administration of the oath of office to Lieutenant Governor-elect A. J. Wallace; address, Lieut. Gov. A. J. Wallace; singing, "Star-Spangled Banner," benediction, Assembly Chaplain Rev. Mr. Bacon.

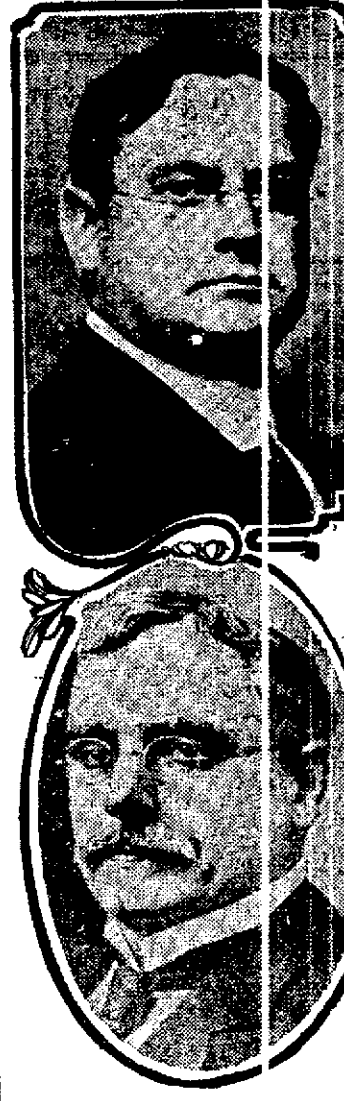
The following committee are in charge: Assembly, H. S. Benedict, P. M. Ruthenford, John C. March, F. C. Gardner; Senate, M. Estudillo, Charles E. Bills and James A. Holman.

### Ceremony Simple

The inauguration will take place in the assembly room of the state capitol tomorrow night at 8 o'clock. The ceremony will be simple. The oath of office will be administered by Judge E. C. Hart of the appellate court.

The meeting will be called to order by Hon. A. E. Boynton, president of the senate. After the singing of national airs and the roll call of the senate, Speaker A. E. Hawitt, of the house will introduce Lieutenant Governor James N. Gillett, who will make a short address. Johnson will be introduced by Boynton, and after taking the oath of office, will deliver his inaugural address. After the rendition of a patriotic air by a double quartet, Lieutenant Governor Warren B. Porter will speak. After another air by the double quartet, the oath will be administered to Lieutenant Governor-elect Wallace, who will deliver a short address.

## NEW GOVERNOR WILL TAKE HIS OFFICE TONIGHT



GOVERNOR JOHNSON on the top; LIEUT. GOV. WALLACE below.

## DESPERATE BATTLE WITH ANARCHISTS

### Police of London Set Fire to House in Order to Capture Murder Suspects.

(Continued from Page 1.)

The assassins had forfeited their home and were supported by a number of friends.

Since the murder of the police men almost the entire police force of London has been engaged in watching for the anarchists. Trouble began early today when Detective Sergeant Leeson, watching these premises, was fired upon and wounded in the lungs. In an almost incredibly short time a crowd of police armed with revolvers approached the house and was met with a volley from rapid fire revolvers.

Police Sergeant Ottawa took charge of the reinforcements and police from the various parts of the city poured in and took up positions commanding the house.

### VOLLEYS OF BULLETS.

Whenever the officers approached a volley of bullets splattered the pavement. A detachment of sixty men with one officer and three non-commissioned officers of the Scots Guard from the tower arrived later and were served with ball cartridges. They fired a few rounds into the building. There was a lull for five minutes and then the beleaguered replied.

It was impossible to estimate the number of beheaded, as they were armed with magazine rifles and fired with great rapidity.

The excitement spread throughout the city and enormous crowds flocked to the scene of the attack. Although they were unable to approach near enough to witness the fighting.

Detective Sergeant Leeson was examining the suspected bullet from the tower when he was shot. His brother officers helped him up a ladder and over a wall to the yard adjoining while the men continued to fire.

### SOLDIERS KEEP UP FUSILLADE.

As the situation became serious thousands of onlookers were drawn back and a space hurriedly cleared for a radius of half a mile about the scene of action. The soldiers kept up a fusillade directed at the windows of the house and the men on the roof. A few were hurled to the place for the purpose of starting a fire and smoking out the besieged men.

Files of straw were piled near the building and the flames communicated to the house. The fire brigade was then summoned and divided its energies between putting out the blaze and trying to flood out the anarchists by means of water thrown through the windows.

A corps of nurses was brought to the vicinity and treated the wounded, among whom were a few spectators who had been struck by spent bullets.

### LEADERS OF AUTO MOBILISTS.

The leaders of the band were known as "Peter the Painter" and "Dutch Fritz." The police said that while they were convinced that one of the bodies recovered was that of "Dutch Fritz," they were not positive that the other was that of "Peter the Painter."

During the fight points of vantage were at a premium and many persons paid big prices for positions on roofs commanding a view of the scene.

### PENNSYLVANIA SJLONS MEET AT HARRISBURG

HARRISBURG, Pa., Jan. 3.—The members of the Senate and House from all sections of Pennsylvania are gathering in Harrisburg for the meeting of the General Assembly tomorrow. The caucus to name candidates for United States Senator will be held tonight.

## SPALDING GIVES REASON FOR DODGING SACRAMENTO

### Declares Principle Alone Keeps Him at Home; People's Wishes Must Be Carried Out, He Says

SAN DIEGO, Jan. 3.—In answer to a request by representative San Diego business men that he go to Sacramento to look after his senatorial chances, A. G. Spalding has written a letter in which he declines. He addresses his reasons for remaining in San Diego during the legislative session to G. A. Davidson, chairman of the local Spalding organization. He says:

"My presence at Sacramento at this time, under existing circumstances, would not be consistent, nor would it be in accord with my published declarations. Therefore I must ask you to consider as final my decision not to go to Sacramento while the balloting for United States senator is in progress. One of the special objects of the direct primary law is to prevent unequally scrambled for the office of United States senator. Having carried 73 of the districts of the State at the primary election against 40 for my nearest opponent, I must decline to be a party to any such undignified contest.

### ISSUE WELL-DEFINED.

"There is a very important and far-reaching principle involved in this senatorial situation of much greater importance than the personal preference of any candidate. The issue is well defined. The people of California for the first time have had an opportunity of voting on the selection of a United States senator. Their votes have been recorded, the result is known, and the responsibility of determining whether the law granting them that privilege is to be violated, the instructions of the people to be ignored and the professional politicians and their political bosses to be further encouraged in their usurpation of the legislative functions, rests on the legislature.

### OPEN TO CHARGES.

"Were I to go to Sacramento for the purpose of personally presenting my claims to the members of the legislature, I would be fairly open to the charge of having abandoned the position I have held throughout the campaign, of having joined the ranks of the professional politicians and of having adopted methods I have repeatedly denounced and which I believe to be unworthy of any man who has a proper appreciation of

the dignity of the office for which the people of California have nominated me. My candidacy was based on the direct primary law. My campaign was conducted in strict accordance with the provisions of that law, and it must stand or fall with the law.

"Sincerely yours,  
"A. G. SPALDING."

### ADDRESSES LEGISLATURE.

Under date of January 2, Spalding addressed the following to members of the legislature:

"Dear Sir: The duty of selecting a United States senator from California as required by the Constitution of the United States and in accordance with the provisions of the new direct primary law of the State will devolve upon you as a member of the legislature at the forthcoming session of that body at Sacramento. I have been urged to go to Sacramento, open headquarters, and be present in person during the early days of the coming session. I do not think that such action on my part is called for by any consideration of policy or expediency. The other hand, as I see the situation, my presence at the State House would distinctly be uncomplimentary to the intelligence and integrity of the members of the legislature, and at the same time, possible source of embarrassment both to them and to me.

### AVOIDS MISUNDERSTANDING.

"I am writing this personal letter to you to avoid any misunderstanding on the part of any member of the legislature who may be expected to be present at Sacramento, where you are to determine your relation to the advisory vote of the several districts of the State, under the law, as expressed at the primary election of August last.

"It is not my intention to visit Sacramento during the balloting for United States senator, because I have no reason to question the integrity of members of the legislature who were instructed in stating that I do not believe one legally elected as a candidate for the United States senatorship at this primaries should be expected to be present at a session of the legislature where his own endorsement by the people under the law is up for ratification by their representatives.

"A. G. SPALDING."

## SENATORIAL CANDIDATES CONFIDENT OF SUCCESS

### Supporters of Spalding and Works Endeavor to Feel Out Strength of the Opposition

(By EDWARD A. O'BRIEN.)

SACRAMENTO, Jan. 3.—There is no break in the clouds in which, for some weeks, the senatorial question has been shrouded, although there is evidently a feeling here that Judge Works has a strong following at the present moment. This may be due to the fact that the campaign of Works has been given a great deal more publicity than has that of Spalding of San Diego. There is unquestionably a strong organization behind Works.

The real strength of Spalding has not been demonstrated here as yet. Neither has that of Works, for that matter.

There are indications that most of the Alameda county men will be for Works. Partisans are pronounced in the support of their respective candidates, but when asked as to how many votes their men have they decline to discuss the subject further.

### NEITHER COGNIZANT.

"In my estimation," said one of the most astute of the politicians on the ground, "neither the adherents of Works nor Spalding know the strength or weakness of either. They are inclined to exaggerate their own strength and minimize that of the other and no one knows when this estimating will come to an end, regardless of the confidence which is displayed in the outcome.

Senator Leroy Wright of San Diego, Spalding's closest friend, who is in the campaign, arrived today from his home in the south to attend the sessions of the senate. He was asked what was the strength of the San Diego candidate and replied that there was no reason for any alarm on the part of the friends of Spalding. The managers of the campaign, he declared, were informed as to how to conduct campaigns, and could not be frightened by the shouting of the opposition.

## CHINESE MARRIED AMERICAN STYLE

### Thomas Guy Hing Claims Rosy Chun Dick as His Bride.

Two prominent Chinese families were united this afternoon when Thomas Guy Hing and Miss Rosy Chun Dick were married with much pomp and ceremony at the Congregational Church, Eleventh and Market streets.

The bridegroom is a graduate of the College of Agriculture at the State University and is noted for his unusual ability in the agricultural field, and in Chinese circles about the bay holds a prominent place. The bride is a belle of the Chinese quarter and is the daughter of one of the wealthiest local merchants.

The family live in Alameda and her father owns a large interest in the jewelry business.

Almost eight hundred guests, both American and Chinese, witnessed today's ceremony.

Only One "BROMO QUININE" that is Laxative Bromo Quinine Cures a Cold in One Day, Grip in 2 Days

## WILL DEPUTY DRAW THE TWO SALARIES?

### Supervisors Again Have Before Them a Problem for Solution.

(By EDWARD A. O'BRIEN.)

The new county recorder, G. W. Bacon, sent the following communication to the Board of Supervisors, which were read at this morning's session:

"Gentlemen: The assistance given the former recorder in taking off the transcript of records for the assessor will not be required by me.

"The matter of furnishing such copy to the county assessor is for your consideration. Respectfully,  
"G. W. BACON, County Recorder."

### STORY BACK OF IT.

Behind these communications is concealed a story affecting the appointment of G. W. Bacon as a deputy in the county recorder's office.

Prior to the appointment of John W. Mott as county recorder to succeed the late A. K. Grim, Bacon was employed as a deputy in the recorder's office and drew a salary as such from the county, but devoted his time to compiling the municipal directory.

For furnishing copies of which to the county officers he was drawing additional compensation from the county treasury.

District Attorney Donahue ruled that Bacon could not draw two salaries from the county as a deputy recorder under the provisions of the county government act, hence he lost his job under Mott. Recorder Bacon has raised the old contention, as the district attorney adheres to his previous ruling.

Bacon has organized a company for the publication of the transcript, and it is understood that he will refuse to furnish a transcript of the records to the county assessor and the application for the use of the room in the corridor adjoining the recorder's office is to furnish facilities for the making of the transcript of records which will continue to be edited as before by Bacon, while ostensibly in charge of the documents filed for record as a deputy recorder.

## FILES CURED IN 6 TO 14 DAYS

Your druggist will refund money if FAZO OINTMENT fails to cure any case of itching, Ring, bleeding or protruding piles in 6 to 14 days. 50c.

## ODDIE TAKES OATH; MAKES APPOINTMENTS

RENO, Nev., Jan. 3.—Tasker L. Oddie was inaugurated governor of Nevada at Carson City yesterday. He is the first Republican to occupy the position since the early 50's.

The oath of office was conferred by Chief Justice J. C. Swann of the supreme court. Following his inauguration, Oddie announced the appointment of E. F. Adams as his secretary, and E. F. Adams as his private secretary.

Oddie won his fight by the display of tact and diplomacy. He was backed by the Alameda county delegation, which was made up of the following members: Senator Boynton of Oroville, their respective positions, the office of the latter being president protem, the highest office in the gift of the members.

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## PROSECUTION OF DR. BURKE NEAR END

### Case Is Resumed After New Year's Recess and Hurdled Along.

### County Physician Bogle Tells of Use of Arsenic on Wounds.

SANITA ROSA, Jan. 3.—The trial of Dr. Willard Burke, charged with dynamiting the tent in which La Fita Smith and her infant were sleeping, was resumed today after the new year's recess.

County Physician Bogle was recalled by the prosecution and in answer to extended questions said that he did not consider arsenic acid a proper dressing for wounds such as those inflicted on Miss Smith by the explosion. On cross-examination the witness admitted that when he called on Dr. Burke last week after they were incurred he found them in good condition.

He said that the effects of arsenous poison might not be apparent if the powder were applied in small quantities. Pressed by the attorneys for the defense, Dr. Bogle said that the removal of death tissues might be proper in such cases and that arsenous powder under certain conditions might be applied to have that effect.

Alfred Burke, for Dr. Burke, and manager of the latter's sanitarium, was recalled to the stand through him the defense sought to prove that it was with Dr. Burke's consent that the witness delivered to District Attorney Bogle the with which the dynamite is supposed to have been exploded, but the objection of the prosecution was sustained and the witness excused.

Mrs. D. W. Dillard testified as to the noise made by the explosion. Her testimony did not develop anything new in the case.

The prosecution has exhausted practically all of its witnesses and it is believed that it will rest its case with the adjournment of court tonight.

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# CHILD MAY BE THE MEDIUM OF A RECONCILIATION

## JOCKEY AUSTIN DIES

IN ELECTRIC CHAIR

OSSENING, N. Y. Jan. 3.—Siruel Austin, a New York jockey, will become a electrocuted in the Eastern State Prison today for the murder of his wife, whom he shot at Manhattan September 4, 1889.

On account of the illness of the officials, had great difficulty in adjusting the electrodes, so two long shocks were required to "finish" him.

So the political corruption revealed in Adams County is continued to that locality. It exists in other counties and is spreading with which the committees of the political parties have been conversant. It has been dealt with, of course, but in a purely business way. Now about one third the voters of the county have confessed in court to selling their votes and have been fined and disfranchised for five years. Had such rottenness come to high New York or Chicago or San Francisco there would have been great outcry about the wickedness of cities. But because it is in a country where the farmers sell their votes as openly and regularly as they did their eggs it is treated merely as a matter of surplusage. It is worse — it is evidence of something that needs to be dealt with vigorously and honestly and with a candid perception of what the evil means.

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## CHANGE IN COLOR OF CONGRESS COMING

Election of United States Senators Most Important Political Event.

REPUBLICANS LOSE; BOURBONS GAIN 8

Contests in Many States Expected; Results to Be Watched.

WASHINGTON, Jan. 3.—The most important political event of the New Year will be the election of United States senators by the various state legislatures to complete the upper house of the 62d congress. The new senate will be composed of 41 Republicans and 41 Democrats, as against 57 Republicans and 33 Democrats in the last congress—a net gain of eight seats for the Democrats. In the house, according to the returns of the election of November 8 the Democrats will have a majority of 65.

The thirty senators whose terms will expire on March 3 next, twenty-four are Republicans and six Democrats, and the thirty state legislatures elected on Nov. 8 will choose their successors. There will also be senators chosen to fill the vacancies caused by the deaths of Senator Cummings of Iowa (Republican), Senator Thompson of North Dakota (Democrat), and Senator Clay of Georgia (Democrat), making a total of thirty-three to be elected. Of the thirty-three new senators, twenty-four will be Republicans and nine Democrats, representing a gain of the seats for the Democrats and one for the Republicans.

### MANY CHANGES.

The states where the senatorial term will fall from Republican to Democratic shoulders are Indiana, Nebraska, Montana, New York, Ohio, New Jersey, Maine, West Virginia and Missouri.

The one Republican gain occurred in North Dakota, where a Republican successor will be chosen to complete the unexpired term of the late Senator Thompson, Democrat. The legislature of this state will also elect another United States senator to succeed Porter J. McCumber, whose term expires in March.

Three of the senators, included in the above count, have already been chosen. They are Isidor Rayner of Maryland, elected to succeed himself; John Sharp Williams, elected to succeed Senator McHenry; and Charles F. Johnson, elected to succeed himself. The term of the late Senator Daniel, of Virginia, expires this March, and as the regular session of the Virginia legislature does not convene until 1912, either a special session will be called to elect his successor, or Claude A. Swanson, who is serving by appointment, will retain his seat until next year.

### SUCCESSOR TO McENERY.

No successor will be chosen in the late Senator McEnery, of Louisiana, until 1912. His seat is at present being filled by J. R. Thomson, who was appointed by the governor.

While the people of a few of the states have indicated their senatorial preference through a direct primary, there are bitter contests being carried on in the majority of the states where the senatorial vacancies occur. New York is a fair sample. It has been many years since the Democratic party of the empire state has had a member in the upper house of congress, and there are a countless number of aspirants to the seat, which will be vacated by Chauncey M. Depew, Jr. Among the candidates are Edward M. Shepard, William F. Sheehan, Martin W. Littleton and a host of others. Even the new Governor, John A. Dix, has been mentioned and the fact that he has refused to enter the race, the candidates is considered significant.

### SITUATION DIFFERS.

On the Jersey shore, however, the situation is slightly different. Here Governor Wilson has taken a hand in the fray, and is urging the election of James F. Martin, a Democrat, to succeed the late Senator Smith, of Newark, however, it is a strong fight. He represented the state in the senate many years ago, and has the support of many of the Democratic state leaders.

In Massachusetts there is a strong fight to depose Henry Cabot Lodge and he will have considerable difficulty in being re-elected. Maine will elect a Democrat to succeed the veteran Eugene Hale. The most likely candidate is Charles F. Johnson, of Waterville.

The successor to Senator Aldrich of Rhode Island who has announced that he will retire with the expiration of his term, will probably be Henry F. Dipitt. There are a few leaders, however, who believe that Aldrich will change his mind and announce his candidacy at the November hour.

### BULKLEY HAS AMBITIONS.

In Connecticut, George P. McLean, former governor, has entered the race against Senator Morgan G. Bulkley, who desires to succeed himself. West Virginia probably will choose between Clarence Watson, a wealthy coal owner, and Henry Gasaway Davis who has had service in the senate, as a democrat to succeed Nathan B. Scott, Republican. The death of Alexander S. May will precipitate a senatorial contest in Georgia. The primaries held some months ago in Florida selected ex-Governor Edward W. Brooke to succeed John T. Taliaferro. Brooke is dead and no check for the vacancy has been made. Tennessee may send to Washington one of three men—James B. Fowler, the attorney general, the state in the senate; Charles T. Cates, or Jacob M. Dickson, the late secretary of war.

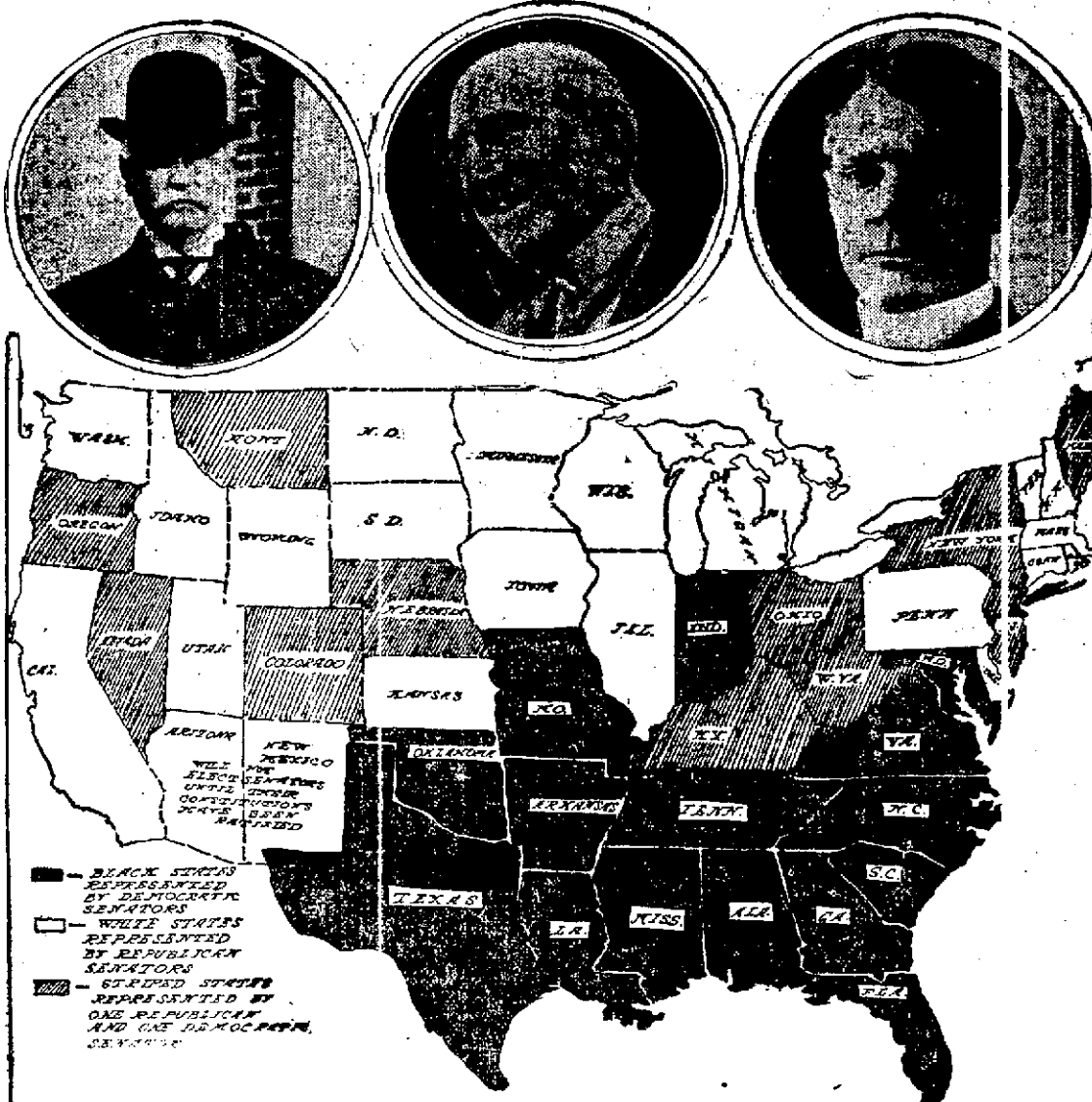
Mississippi has elected John Sharp Williams. He will succeed John A. McHenry, the attorney general of the senate. Arkansas will continue to be represented by Charles A. Culberson.

Illinois has selected James T. Reed of this city as senator in the place of William Warner, Republican, who has been elected by a Democratic legislature.

### KERN IS NAMED.

Indiana has named John W. Kern as the Democrat who shall succeed Albert J. Beveridge, the progressive Republican. Ohio has a number of Democrats from whom to make a choice as the successor of Charles Dick, Republican. These in-

## Well-Known Figures in Senatorial Fight



Senatorial map of the United States, and three prominent figures whose terms expire in March. Beginning at the left they are: Senator Aldrich of Rhode Island; Senator Depey of New York; and Senator Beveridge of Indiana.

## Improvements in Oakland

Extension of Southern Pacific Electric Line Going Ahead Rapidly; Rails to Be Laid in Concrete; House Removed

With a large force of men at work the extension of the Southern Pacific electric line from Fourteenth and Franklin streets along Franklin to Twentieth street, is in rapid progress. When completed the road, franchise for which was granted to the Peninsula Railway, will connect the present narrow gauge terminal with the Sixteenth street depot and form a loop to the mole.

Along the line the heaviest rails are being laid in concrete ties. Rails have been placed as far north as Twentieth street and is only delayed there until a large three-story flat building has been removed from the corner of Twentieth and Franklin.

## Robber Tries to Cast Woman Victim in Sea

SAN FRANCISCO, Jan. 3.—Miss Edith Marshall, of Los Angeles, had a desperate struggle with a robber on the deck of the steamer Yale, which arrived here yesterday from the south. The young woman believes she would have been thrown overboard had not the ship's crew intervened.

John R. McLean, proprietor of the Cincinnati Lodge, Alton, California, and Edward J. Hanley, the late named is said to have the best chance.

Michigan has chosen Congressman Charles E. Townsend, a Republican, to succeed Julius C. Burges.

Wisconsin will return Senator Robert M. La Follette, Minnesota Moses E. Clark and North Dakota Porter J. McCumber.

Iowa has filled the vacancy occasioned by the death of Jonathan F. Brillister in the person of Lafayette Young, editor of the Des Moines "Capital." There is reason to believe that the relations between Mr. Young, who is a stand-patter, and Senator Cummings have improved, and it would surprise no one here should Cummings agree to Young's election. In the case Mr. Young should not be elected it is expected the honor will go to Harvey Brigham, editor-in-chief of the Des Moines Register and Leader.

The states to be represented by Democratic senators in 62d congress are: California, New Hampshire, Connecticut, North Dakota, Delaware, Pennsylvania, Illinois, Rhode Island, South Dakota, Iowa, Vermont, Kansas, Utah, Massachusetts, Washington, Michigan, Wisconsin, Minnesota, Wyoming, Nebraska, Missouri, Alabama, North Carolina, Arkansas, Oklahoma, Florida, South Carolina, Georgia, Tennessee, Texas, Louisiana, Virginia, Maryland, New York, New Jersey, Ohio, Colorado, Kentucky, Maine, Montana, Nevada, Nebraska, West Virginia.

The liver loses its activity at times and needs help. HERRINE is an effective liver stimulant. It also purifies the bowels, strengthens digestion and restores strength, vigor and cheerful spirits. Price 50c. Sold by Whistler's drug store, 1011 and Washington.

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## NOTED AIRMEN AT FUNERAL OF HOSSEY

Curtiss, Latham, Ely and Willard Escort Dead Aviator's Body.

Monument to Man Killed in Flight to Be Erected in Park.

PASADENA, Jan. 3.—The funeral of Arch Hossey, the world famous California aviator, who was killed last Saturday in a gale that converted his effort to eclipse his own world's altitude record into a fatal tragedy, will be held here this afternoon at 2:30. The aviator met at Dominguez field was terminated a day earlier than the advertised closing, so that his fellow aerial pilots could attend the obsequies. All the aviators will act as pall-bearers.

A suggestion was made that the reposed aviator be placed in a hearse today, but Mrs. Minnie E. Hossey, mother of the dead aviator, did not desire it. She wanted nothing that would be deemed theatrical in the last rites over her son, she is said to have declared.

### RESTRICT MOURNERS.

In deference to her wishes, it was announced also, that the attendance at the funeral services would be restricted to Hossey's personal friends among the aviators and his former associates in his home city. To secure the mother's desire, it was arranged that the service be held in a small mortuary chapel in which not more than 200 people could be crowded.

Glenn Curtiss, Philip C. Parmelee, Eugene Ely, Walter Brooks, James Radley, Hubert Latham and Charles F. Willard were the aviators who will escort the body of Hossey to its last resting place.

### PLAN MONUMENT.

Several officials of the aviation meet just closed here, today in a plan to erect a monument to the memory of Hossey on the spot where he met his death. The field will be used as a permanent aviation park, and it was suggested that such a memorial would be appropriate. It was also proposed that the aviators meet today that Hossey's share of the prizes total \$2500, which amount will be turned over to his mother.

Hossey was by far the largest winner of any aviator who competed in the events during the past ten days.

FOR LA GRIPPE, COUGHS AND STUFFY NOSES. Take Foley's Honey and Tar. It gives quick relief and cures the cold from your system. It contains no opiates, is safe and sure. Whistler's drug store, corner 10th and Washington streets.

Lame back may come from over-work, cold, or from disease. In the two former cases the right remedy is BELL'S RUBBING LINIMENT. It should be rubbed in thoroughly over the affected part, the relief will be prompt and satisfactory. Price 25c, 50c and \$1.00 per bottle. Sold by Whistler's drug store, 1011 and Washington streets.

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## PREDICTS A PROSPEROUS YEAR FOR CITY OF OAKLAND

Rev. Wm. D. Simonds Discusses the Assured Industrial Growth of This City

During the course of his sermon Sunday last, Rev. William D. Simonds, pastor of the First Unitarian church of this city, took occasion to comment on the substantial growth he has noted since he came here of Oakland's industrial prosperity. He said:

"The new year was hardly twelve hours old ere the world had been booted with happy new year wishes of man for man, of neighbor for neighbor, of friend for friend. If our wishes were creative and decisive perhaps the world would see one universally happy year. Of one thing we may be certain, and in that certainty, greatly rejoice, a larger number of the human family live under conditions of comparative comfort than ever in the world's history. There is more of happiness and less of misery for more men, women and children and the round world over than ever at any period of known history. So we may go on with an increased confidence wishing our friends and the world at large a happy new year.

"For our own goodly city we may surely predict a prosperous year, and let us hope, a happy new year. And best of all the prosperity to which we may reasonably look forward is not like that of four years ago, based upon the calamity of a sister city, but upon our own realized advantages.

"When I first came to Oakland, the wave of prosperity brought about by the earthquake was already beginning to recede. Many were sadly shaking their heads, saying, 'that Oakland had lost her opportunity.' And so it might seem, but it was only opportunity deferred. Today with the vast and varied improvements already under way, or in immediate prospect, there would appear to be nothing within reason that can prevent a happy and prosperous future for this city.

"1911 was a year of preparation. 1911 will prove a year of realization. Twelve months hence we shall look out upon a greatly improved town, and two years hence upon a transformed city. Nothing can prevent this consummation of our hopes but our own supineness and folly.



REV. WM. D. SIMONDS, pastor of the First Unitarian Church.

"Let us not forget, however, not for a moment, that all the higher interests of the community must keep pace with our material advancement. It must prove a good year for our schools, a year favorable to clean and honest home life, a good year for integrity and fidelity in public office and private station, a good year for the kind of religion that builds the working of God in loyal service of man, or the building of the city, will be as those who build vainly upon the sands of commercial prosperity alone.

"Here then with all our hearts we record our new year wishes, not only to a larger and more prosperous Oakland, but for a city ideal in its government, its schools, its churches, and ideal in the purity and happiness of its homes.

"In this sense may the new year 1911 indeed prove a year of blessed realization."

## GIRL ON 'HOBO' TOUR LANDS IN JAIL

Eighteen-Year-Old Rose Donohue Dresses as Boy and Leaves Home.

Found Asleep in Doorway; She Wanted to See Things for Herself.

SAN FRANCISCO, Jan. 3.—Attired in men's clothing and tucked up in a dark doorway on Sutter street, for body clad and almost frozen by the biting cold of the early morning hours, Miss Rose Donohue, an 18-year-old girl, who claimed to have come from Santa Rosa, was found asleep by Police Officer D. J. Twomey at 3 o'clock this morning.

"Twomey did not know that it was a young woman whom he was dragging from the place of concealment, for Miss Donohue was covered up in the apparel of a 15-year-old youth. She wore a striped black and white shirt and a pair of trousers. Her hair was cropped short. It was not until the flash light station was reached and the girl drawn under the full glare of the electric arc lamp that Twomey began to suspect that the "boy" was not what he seemed. Close questioning would not compel "him" to reveal his identity, however.

### ADMITS HER SEX.

"My name is Ralph Donohue," protested the prisoner, as she repeatedly denied that she was a woman until, with a show of bravado, one of the officers declared that he would thrust her to the matron at the city prison.

It was then that, with tears streaming down her cheeks, the girl admitted that she had assumed the garb of a boy for the purpose of "seeing things around the country." The tears, however, were the result of pent-up excitement rather than sorrow, and after a few more words Miss Donohue remained close-mouthed, refusing to talk.

"I ran away from Santa Rosa because I wanted to see things for myself," was all she said before lapsing into a stubborn silence. She was charged with violating section 519 of the penal code, which forbids masquerading in male attire.

## SUPERVISORS SELECT STANDING COMMITTEES

County Superintendent Frick Withdraws Objections to Proposed Fairview School District

The members of the Board of Supervisors were in caucus for over two hours this morning, hence the board was not called to order until some time after the hour of noon. All members answered roll call and then promptly took a recess until 2 p. m.

### COMMITTEES NAMED.

On the re-assembling of the board after recess Chairman Horner announced the following committees, of which he is the same as last term: Auditing and finance—Foss (chairman), Kelley, Mullins. Judiciary, printing and license—Mullins (chairman), Foss, Kelley. Road, bridge and franchise—Bridge (chairman), Foss, Kelley. Building and jail—Kelley (chairman), Bridge, Foss. Hospital—Bridge (chairman), Kelley, Mullins.

A resolution was adopted authorizing the Sheriff, Coroner, keeper of the poorhouse, public hospital and county jail to turn over to Dr. Earl H. Daggett for dissection the bodies of such persons as are required to be buried at public expense. Dr. Daggett filed a bond of \$500 as required.

### WEBSTER STREET BRIDGE.

The bridge committee was authorized to place braces and five new piles in the Webster street bridge. Minor requisitions from several county officers were allowed.

County Superintendent of Schools George W. Frick submitted an inventory of the public property contained in his office, whose total value is given as \$3843.15. Filed.

Certificates from the San Francisco Tax Collector's department showing that Clarence Grange of the Metropolitan Bank had paid his poll tax in that city on April 30, 1908, the poll tax delinquency assessed against certain properties in this county held in his name was read and the assessment was authorized canceled.

### NEW SCHOOL DISTRICT.

County School Superintendent Frick submitted a long communication to the Board of Supervisors this morning reviewing the history of an effort to establish a new school district to be known as the Fairview school district, and to be taken from the present

Hayward and Palomares school districts. This, he says, he formerly opposed on the ground that he was not in favor of the dismemberment of the present Hayward school district, for the reason that it would be a precedent for the carving up of other school districts.

### WITHDRAWS OBJECTION.

Withdrawing his objection because no protest of any kind was made, Frick's letter. It is signed by forty-five residents of the proposed Fairview district. These represent fifty-four children of school age and twenty-six under five years of age.

"I take this action," adds the county superintendent, "with the utmost regret, still believing that if the people of the proposed Fairview district will give a special tax for the purpose of voting relief to the petitioners, it will be a much better solution of the situation."

### COULD VO'E TAX.

"If the legal steps for the calling of a special election were taken immediately by the trustees of the Hayward school district, a tax could be voted before February 10, which is the last day before which a new school district may be formed. If the trustees will take such action at once, so that there may be no danger that the formation of a new district shall be delayed, I will, in consideration of the special tax being again defeated, I would ask your honorable body not to consider my approval for the formation of a new district.

"I am content in my desire that the integrity of the Hayward school district shall be retained, as I was before, but I cannot be a party in any further delay of relief to the petitioners. They have an undoubted right either to a ward school or a new district."

### GOES OVER ONE WEEK.

The petition for the new school district, accompanied by a Superintendent Frick, is signed by forty-five residents of the proposed Fairview district. These represent fifty-four children of school age and twenty-six under five years of age.

The petition, which was over for one week in compliance with the requirements of the school law before any action shall be taken.

### HEAVYWEIGHT'S VICTORS.

BERKELEY, Jan. 3.—In the second game between the "Bos" and "Beans" of the Berkeley Bils, played yesterday afternoon at Recreation Park, the former team won by the safe margin of 11 to 7. The first game, played a week ago today, ended in a tie. Both games were for a charitable purpose.

### Art School.

S. F. Institute of Art (formerly the Mark Hopkins), San Francisco, Cal. Drawing, painting, modeling, illustration, etc. Open Jan. 2. Illustrated circulars mailed on application.

## AUTO SPEEDING TO BE ENDED BY POLICE

Chief Wilson Declares Reckless Driving Will Have to Stop.

Five Jailed for Violating Law; Small Fines Are Imposed.

Reckless driving in Oakland is to be put an end to if the police can effect it, according to Superintendent of Police Adelbert Wilson. That reckless driving has been the indirect cause of the numerous tragedies of the past few weeks, in which three children and a young man were killed and several people were injured, is the belief of the authorities, and "Flying Squadron" of patrolmen have been given orders to arrest all violators of the speed limit.

Five men were arrested yesterday for violating the speed limit, and released on \$25 bail, their cases coming up in court this morning.

### JUDGE TURNER PRESIDES.

Judge Aaron Turner, recently elected from East Oakland, assumed the dignity of presiding on the bench for the first time this morning, sitting for Judge Northrup Smith in department No. 1 of the city police court. He put over the hearing of C. L. Cole and Ralph Kilo, two of the chauffeurs.

G. A. Dubois, a manufacturer, arrested by the "Flying Squadron," consisting of Patrolmen Con Keefe, T. J. Flynn and A. G. Fock, was fined \$10 by Judge Samuel, as was H. R. Spruce. E. P. Vandercook, a broker, was released and the case dismissed, as no complaint has been filed against him.

### NAME DELEGATES.

SAN LEANDRO, Jan. 3.—At the semi-annual county committee meeting of the California Development Board, to be held in Oakland January 4 and 5, San Leandro will be represented by Messrs. J. N. Frank, W. S. Peters, C. Q. Ridout, J. J. Gill and W. E. Cunningham.

### TO HOLD ANNUAL MEETING.

BERKELEY, Jan. 3.—The annual meeting and dinner of the North Berkeley Congregational church will be held in its church parlors tomorrow evening.

A dry, hacking cough is hard on the lungs, often leading to bronchitis, BALSAM'S HOBBO AND SYRUP is a healing balm that quickly relieves the lungs, the lungs and air passages. Price 25c, 50c and \$1.00 per bottle. Sold by Whistler's drug store, 1011 and Washington streets.

Through Sleeper to Yosemite. Commencing December 30th, and every Friday thereafter, the Southern Pacific Company will run through Yosemite sleeper, leaving Oakland (Sixteenth street) 10:15 p. m., returning to Oakland Monday morning at 7:45 a. m. For further information see Southern Pacific agent.

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## FOUR THINGS IN FAVOR OF 'THE BEAUTY SPOT'

Music, Color, Beauty and De Angelis Good Amusement Collection.

COMEDIAN AN IDLER. BUT GETS APPLAUSE

Best of Broadway's Chorus Garden Gathered for Production.

(By LEO LEVY.)

With De Angelis, De Koven and Herbert responsible for the deal—three of them, indeed; and with music and beauty, a mighty good pair to draw on, it will occasion no wonder that "The Beauty Spot" played to a full house at each performance yesterday, and is scheduled to do the same tonight and tomorrow evening. The Macdonough theater was well filled for the first two performances of the musical comedy that has lived its allotted seasons and is well on its way to more. As a matter of fact, it was a prediction and stayed to see a fulfillment.

"The Beauty Spot" has four things in its favor: Tunelessness, color, femininity and beauty. De Koven gave the music a mighty good pair to draw on, it will occasion no wonder that "The Beauty Spot" played to a full house at each performance yesterday, and is scheduled to do the same tonight and tomorrow evening.

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## NEWS OF THE OIL FIELDS

### BIG ELY COPPER SMELTER TO USE CALIFORNIA OIL

Nevada Added to Long List of Customers for State's Fuel; Coalinga District Is Active

ELY, Nev., Jan. 2.—The decision of the officials of the Steptoe Valley Smelting and Mining Company to install apparatus for the use of oil as fuel at the smelter, a decided victory for the California product, marking as it does the displacement of coal at a plant where every possible fuel-saving appliance known to modern science had already been installed.

Another good customer will thus be added to California oil which already goes to British Columbia, to Alaska, to the Orient, to Panama, and to every Pacific port in South America, even as far as Punta Arenas on the Straits of Magellan. The question of fuel supply has always been a serious one with the Steptoe Valley smelter, and the help secured from the waste-heat boilers at the furnaces it requires an enormous amount of coal to make steam for the generation of 5000 horse-power which is about the required capacity. The Steptoe Valley smelter is a power plant, all coal is shipped in from the mines in Utah and Wyoming and as it is absolutely necessary to maintain a large reserve supply, considerable loss has been suffered in the stock pile caused by spontaneous combustion. It was ever planned at one time to build a reservoir in which the reserve supply of coal could be kept submerged in water and thus escape the danger from fire and loss from air-slacking.

ASH AS FUEL.

A large proportion of the fuel used at the boiler room of the Steptoe plant is derived from the ash from the furnaces. The furnaces are fired with a good quality of lump coal and the ash is discharged by a stream from a hose and sent to the boiler room. The ash is used as fuel for the furnaces, and the waste-heat boilers, of which there are ten, arranged in five batteries in the furnace room, would be just as effective with oil as fuel as they are under present conditions.

1500 BARRELS DAILY.

It is estimated that the Steptoe plant will use from 1200 to 1500 barrels of oil per day. The changes now being made are completed. This, however, is by no means the limit of the Ely district's capacity for the use of California oil. The Nevada Northern Railway, which handles from 7000 to 8000 tons of ore per day between the mines and the smelter besides a large general traffic, would be no small consumer of fuel. The claim has been made that the Ely district produces of the Southern Pacific, which have raised it from non-dividend paying to one of the best paying railroads in America represent the company.

There is doubtless an exaggeration, but there is enough truth in it to try the great industrial importance of the utilization of crude petroleum for generating electricity. The freight-paying public of the Ely district can testify that the Nevada Northern has no need to introduce fuel in order to be able to pay highly satisfactory dividends. However, as a subsidiary corporation of the Nevada Consolidated Copper Company, it is probable that its locomotives will be able to burn oil-burners in the future. The Ely district produces of the Southern Pacific, which have raised it from non-dividend paying to one of the best paying railroads in America represent the company.

HEAVY CONSUMERS.

At the great copper pit of the Nevada Consolidated Company at Copper Flat, half a dozen small locomotives engaged in the removal of ore are heavy consumers of fuel.

QUESTIONS LIBERTY OF THIS COUNTRY

Leo Tolstoy's Nephew Tries to Save Woman From Deportation.

NEW YORK, Jan. 2.—If Mrs. Harriet Muthall, a German actress, and her daughter of three years are permitted to enter this country, they may pay for it. Leo Tolstoy's nephew, Michael Alexander Kouzinsky, son of the president of the Russian Senate.

"Is this America, free America?" he asks in a public statement. "Here a man is a prisoner, without permission to communicate with his consulate or to come ashore and get a lawyer, and all because his friends did not meet her at the pier."

Kouzinsky met Mrs. Muthall on the Campania coming to America, when she acted as his secretary in transferring his correspondence into several languages. When she was detained at Ellis Island because of lack of funds she wrote to him and he promised to appear to plead her case.

"Mylius will see Attorney Newton tomorrow. He told me that if Newton attempted to publish any apology, ascribing it to Mylius, he will sue him and insist that the case shall come to trial."

MAN IS MURDERED; THROWN INTO STREAM

MORRISTOWN, N. J., Jan. 2.—A human hand thrust up through the ice that covered a small stream here last night to the discovery that a body of an unidentified man beneath the frozen surface. The head had been battered and crushed. Death had occurred several days ago. Near the body an arm was found in the ice with a watch and a human hair on the blade.

Nothing was found in the pocket that would aid in identifying the dead man.

TOWN WIPED OUT.

CARSON, Nev., Jan. 2.—Fire at Sheridan, twenty miles south of here, nearly wiped the little town off the map. Merchandise store, two homes, the post-office, express office and several dwellings were destroyed. The loss is estimated at \$50,000, with little insurance.

A man named Russell, who was sleeping in the store, was badly burned and his condition is serious.

FOUNDER OF CRIPPLES' HOME DIES AT 76

CHICAGO, Jan. 2.—Rev. Isaac Prince, M. D., who founded the first home for destitute crippled children in Chicago, died today at 76.

In founding the home twenty years ago he is said to have used the entire savings of his life.

Dr. Prince was an army chaplain during the Civil War and afterward was connected with hospitals for crippled children in New York City.

ers of coal. Oil from a central supply tank could be piped to the shovels as rapidly as water and the saving in the handling alone would be no small item.

Scientific tests have shown that in the production of steam, a ton of bituminous coal is equal to one ton of bituminous coal. A barrel of oil weighs 312 pounds, so it is apparent that 1250 pounds of oil is equal to 2000 pounds of coal in steam-making power. Even if oil cost were equal, it is figured that a 10 per cent saving in the expense of handling is made by using oil.

The cost of installation will no doubt be large, but, as already shown, the Nevada Consolidated aims always at low costs of operation rather than of construction. The company is already producing copper at a cost of less than seven cents a pound, which is the lowest in the country. If not in the world, the Rio Grande mines in Spain being its only close competitor in the respect.

By the adoption of oil as fuel another fraction of a cent per pound of copper would be saved. However small the fraction may be, it will, when multiplied by a production of 65,000 pounds per year amount to a considerable sum.

COALINGA ACTIVE.

COALINGA, Jan. 3.—It has been given out by the management of the Hohobian Oil Company operating in the South Coalinga field on section 22, that drilling will be resumed at its well in which a profile light oil bearing sand was encountered at a depth of 2750 feet some 3000 feet from the surface.

The Turner Oil Company has at last shut off the water in its well No. 3, and is now drilling into the sand. This well is located on section 22, 19-10, and is the purpose of the company to seek a more highly charged stratum which they feel contains oil. The well is being drilled through the formation just passed through.

It is also known that the company does not consider a producer of from four to five hundred barrels per day of oil worth \$1.25 per barrel valuable enough to reimburse the concern for the expense of drilling. The well is being drilled through the formation just passed through.

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Rev. Homer J. Vosburgh's Criticism Censured by Baptist Directors.

GOT ALL HE WAS WORTH. IS THE DECLARATION

Pastor Claims His Salary Was Too Small; Leaves for East

Declaring that the Rev. Homer J. Vosburgh had received all that was due him, and that he was being paid as much as his services were worth, members of the board of directors of the First Baptist Church of this city, in a series of charges made by a pastor at his farewell services Sunday.

Dr. Vosburgh left for Camden yesterday. His parting shot to the church he had preached for a decade, was a criticism of the financial management of the institution's funds and a charge that unkindness had been his portion in treatment by various members of the flock.

There is a moderate sentiment among the directors that Rev. J. Vosburgh was underpaid, but that his criticism was unjustified and ill-timed is the statement of everyone who has been a questioner.

CRITICISE P. STOR.

The following answers were made to the pastor:

J. H. Stevens, president of the board of directors, said: "While we appreciate the ability of Dr. Vosburgh, the church is not in a position to pay a larger salary. The building of the new church left our institution heavily in debt. Dr. Vosburgh was paid \$100 during the year, which was moving, as well as the church's other expenses. We are directly asked us for a raise in salary, although there was talk of hiring an assistant."

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